



DAC #2

PATENT
P56497

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KYUNG-PILL KO

Serial No.: 09/898,089

Examiner: *to be assigned*

Filed: 5 July 2001

Art Unit: 2641

For: COMPUTER SYSTEM AND OSD DISPLAYING METHOD FOR THE SAME

PETITION UNDER 37 C.F.R. §1.181

Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

Applicant respectfully petitions from the failure of the PTO to correctly examine the formal drawings originally filed in the above-captioned application, and as reasons therefore, states that:

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OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Folio: P56497
Date: 9/25/01
I.D.: REB/kf

STATEMENT OF FACTS

1. On 5 July 2001, a new application for the above-captioned application was filed in the U.S. Patent & Trademark Office. The new application consisted of the specification, claims, Abstract, formal drawings (Figs. 1 through 5C, 5 sheets), executed Declaration and executed Assignment, Information Disclosure Statement and PTO-1449 with copies of nine (9) references cited in the aforesaid Information Disclosure Statement, claim of priority and a copy of the certified Korean priority document No. 8455/2001, and check Nos. 39863 and 39864 in the total amount of \$982.00.

2. On or about 23 August 2001, the Applicant's undersigned attorney received a Notice to File Corrected Application Papers (Confirmation No. 3207) where submission of substitute formal drawing is required for the following reasons:

“drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)”

REMARKS

The aforesaid Notice does not mention which figure(s) has been objected to. Applicant assumes the Notice is referring to Fig. 4C where Korean characters are depicted.

The Commissioner's attention is invited to the specification, paragraph [0017] on page 5 where it says, "FIGS. 4A4D are OSD menu screens showing the process of selecting a language in the display device; and". Also, at lines 15-16 on page 10 (paragraph [0030]) Figures 4C and 4D are stated to show "Korean" and English selected by the user, respectively.

As is stated above, Fig. 4C is a menu screen displayed on a display device which indicates availability of Korean language as a selection by using Korean characters so as to enable users to immediately recognize the particular language. Therefore, the Korean characters which appear in Fig. 4C are not used as a text to explain the Fig. 4C itself, but used as an image to illustrate how one of the menu screens of the present invention appear in an actual display device.

In view of the above, it is respectfully submitted that the objection to the drawings of the present application based on 37 C.F.R. §1.84 and/or §1.52 does not apply, and should be withdrawn.

Should any question remain unsolved or further information be indicated, the Commissioner is invited to telephone Applicant's undersigned attorney at (202) 408-9040.

RELIEF REQUESTED

Accordingly, Applicant respectfully requests the Commissioner to:

- A. Strike out of the file history the Notice to File Corrected Application Papers mailed 22 August 2001 for the above-captioned application and so notify the Applicant;
- B. Place the instant application on the files for examination.
- C. Grant such other and further relief as justice may require.

Respectfully submitted,



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